

Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

OMNI INNOVATIONS, LLC, a
Washington Limited Liability
company,

Plaintiff,

v.

INSURANCE ONLY, INC.;
MICHAEL WEDEKING, and his
marital community; PATRICK
WEDEKING, and his marital
community,

Defendants.

NO. CV06-1210TSZ

**DEFENDANTS' ANSWER TO
COMPLAINT**

COME NOW defendants and for answer to plaintiff's Complaint, admit, deny
and allege as follows:

Answering Paragraph 1 of the Complaint, defendants admit the allegations
contained therein.

Defendants' Answer to Complaint

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RETTIG OSBORNE FORGETTE, LLP
6725 W. CLEARWATER AVENUE
KENNEWICK, WASHINGTON 99336
TELEPHONE (509) 783-6154

1 Answering Paragraph 2 of the Complaint, defendants deny the allegations
2 contained therein.

3 Answering Paragraph 3 of the Complaint, defendants admit that Michael
4 Wedeking and Patrick Wedeking are shareholders of Insurance Only, Inc., and
5 manage the day-to-day operations of the business. Defendants further admit that
6 Insurance Only has transacted business in the State of Washington. All remaining
7 allegations are denied.

8 Answering Paragraph 4 of the Complaint, defendants deny the allegations
9 contained therein.

10 Answering Paragraph 5 of the Complaint, defendants deny the allegations
11 contained therein.

12 Answering Paragraph 6 of the Complaint, defendants deny the allegations
13 contained therein.
14

15 Answering Paragraph 7 of the Complaint, defendants are without knowledge
16 or information sufficient to form a belief as to the truth of the matters asserted therein,
17 and therefore deny the same.
18

19 Answering Paragraph 8 of the Complaint, defendants are without knowledge
20 or information sufficient to form a belief as to the truth of the matters asserted therein,
21 and therefore deny the same.
22

23 Answering Paragraph 9 of the Complaint, defendants deny the allegations
24

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26 Defendants' Answer to Complaint

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1 contained therein.

2 Answering Paragraph 10 of the Complaint, defendants are without knowledge
3
4 or information sufficient to form a belief as to the truth of the matters asserted therein,
5 and therefore deny the same.

6 Answering Paragraph 11 of the Complaint, defendants are without knowledge
7
8 or information sufficient to form a belief as to the truth of the matters asserted therein,
9 and therefore deny the same.

10 Answering Paragraph 12 of the Complaint, defendants are without knowledge
11
12 or information sufficient to form a belief as to the truth of the matters asserted therein,
13 and therefore deny the same.

14 Answering Paragraph 13 of the Complaint, defendants are without knowledge
15
16 or information sufficient to form a belief as to the truth of the matters asserted therein,
17 and therefore deny the same.

18 Answering Paragraph 14 of the Complaint, defendants deny the allegations
19
20 contained therein.

21 Answering Paragraph 15 of the Complaint, defendants deny the allegations
22
23 contained therein.

24 Answering Paragraph 16 of the Complaint, defendants deny the allegations
25

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1 contained therein.

2 Answering Paragraph 17 of the Complaint, defendants deny the allegations
3 contained therein.
4

5 Answering Paragraph 18 of the Complaint, defendants deny the allegations
6 contained therein.
7

8 Answering Paragraph 19 of the Complaint, defendants deny the allegations
9 contained therein.
10

11 **AFFIRMATIVE DEFENSES**

12 By way of further answer to plaintiff's Complaint, defendants assert the
13 following affirmative defenses:
14

- 15 1. Lack of subject matter jurisdiction;
- 16 2. Lack of personal jurisdiction over defendants Wedeking;
- 17 3. Improper venue;
- 18 4. Failure to mitigate damages; and
- 19 5. Violation of Federal Rule Civil Procedure 11.
20
21

22 **PRAYER FOR RELIEF**

23 WHEREFORE, having fully answered plaintiff's Complaint, defendants pray
24 for relief as follows:
25

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- 1 1. For dismissal with prejudice of plaintiff's Complaint herein;
- 2 2. For their costs and attorney fees incurred in this matter as allowed under
- 3 any applicable law; and
- 4 3. For such other and further relief as the Court deems just and equitable.

5 DATED this 6th day of July, 2007.

6
7
8 RETTIG OSBORNE FORGETTE, LLP

9
10 By /S/ Cheryl R.G. Adamson

11 CHERYL R.G. ADAMSON,
12 WSBA #19799
13 Attorneys for Defendants

14 CERTIFICATE OF SERVICE

15 I hereby certify that on July 6, 2007, I electronically filed the foregoing with
16 the Clerk of the Court using the CM/ECF system which will send notification of such
17 filing to the following: Robert J. Siegel, and I hereby certify that I have mailed by
18 United States Postal Service the document to the following non CM/ECF participants:
19 N/A.

20 s/ Cheryl R.G. Adamson / WSBA #19799

21 Attorney for Defendants
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